



STATE OF NEW YORK  
EXECUTIVE DEPARTMENT  
**DIVISION OF VETERANS' AFFAIRS**

5 Empire State Plaza  
Suite 2836  
Albany, NY 12223-1551

George P. Basher  
Director

17 July 2006

Honorable Jeff Miller, Chairman  
Subcommittee on Disability Assistance and Memorial Affairs  
337 Cannon HOB  
Washington, DC 20515

Dear Mr. Chairman:

I recently submitted to your Subcommittee staff a brief white paper describing a New York State Division of Veterans' Affairs initiative for veteran claim development. The initiative, a joint effort between the State of New York and the Veterans Benefits Administration Regional Office in Buffalo, New York, was constructed to investigate the benefits of submitting complete claim packages from New York State benefits counselors to VBA for determination.

In light of the upcoming hearing before your subcommittee on the development of claim packages by state and county service officers, I am respectfully requesting that the white paper be included as part of the record of the hearing.

I applaud the effort you and the committee are making in this regard and want you to know that those of us who work in state and local government on behalf of our nations' veterans stand ready to assist both Congress and VA in any way possible. Thank you for the opportunity to present this information to you and the subcommittee; please feel free to contact me if there are any questions or if you need any further information.

Sincerely,

A handwritten signature in dark ink, appearing to read "GPB", with a stylized flourish at the end.

George P. Basher  
Director

Enc

VBA/NEW YORK STATE TRIP INITIATIVE  
Buffalo, NY  
July 2006

## CONCEPT

The premise for the project is that fully developed "substantially complete" claims from NYSDVA can be decided by VA in less time than claims that are not well developed and are processed normally through the VBA Pre-Determination units, following standard "duty to assist" and development protocols. Anticipated results were reduced cycle time for claims and improved productivity for both NYSDVA and VBA. Discussions between the Regional Office Director (Jack McCoy) and the State Director (George Basher) led to an experimental initiative at the VARO in Buffalo, New York that began in 2002.

## IMPLEMENTATION

### Initial Environment:

While other initiatives (PARDS in Florida, TRIP I & II) have involved accredited agencies improving the submission of claim packages that contained sufficient data to advance the claim, this initiative is the first case where an agency took responsibility for all development and presented VA with a substantially complete package that met Veterans Claims Assistance Act (VCAA) requirements.

The NYS Division of Veterans Affairs provides claim assistance across New York State through a network of accredited counselors and support staff working with VA Regional Offices in Buffalo and New York City. Twenty counselors file an average of 320 original, new, and reopened claims each month through the VARO in Buffalo. Prior to beginning this project, NYSDVA had one Senior Counselor and one Secretary in the VARO handling mail distribution, signing off on decisions, 646s, and other routine housekeeping matters.

The DVA staff was increased for the pilot by assigning an additional Senior Counselor, and accredited Program Aide, and a Clerk to the unit, as well as basing two existing field supervision Senior Counselors at the VARO when not in the field. Both VBA and DVA agreed to work only with original claims at the outset, in order to simplify the data collection and business process. DVA submits an average of 120 original claims to VARO Buffalo each month.

### First Steps:

The initial phase of the pilot involved a number of meetings between the two agencies, resulting in the following actions:

1. DVA altered its data collection system and reporting system to match VBA format and nomenclature. This meant tracking cases by end

product, measuring days pending and days to completion the same way as VBA.

2. DVA staff had to learn to look at claims from a development viewpoint without diminishing the agency's role in assisting veterans.
3. DVA staff had to develop a case management protocol for their development process.
4. VBA had to develop internal procedures to assign Predetermination staff to handle DVA requests through PIES and CAPRI as well as entering data into the CAPS system (CEST, POA designation, development notes, etc.) in a timely manner.
5. VBA staff had to train DVA staff on internal VBA procedures such as COVERS and file management systems.

#### Initial Results:

After the first six months of the initiative, the following results were obtained:

1. DVA personnel were developing claims that met VBA quality standards.
2. Claims processed in this manner were being completed in significantly less time than the station average.
3. DVA personnel were spending a large amount of time following requested evidence and matching it to appropriate C-files.
4. DVA personnel were sending a "duplicate" VCAA letter to veterans requesting information at the inception of a claim, at the time usually two to three weeks before VBA sent their own statutory letter out. This led to some confusion on the veteran's part and created a process issue that bothered both agencies. While it improved the time to completion, it was duplicate effort.

#### Subsequent Steps:

VBA and DVA worked together to resolve the issues raised during the early phase of the pilot:

1. C-file folders for pilot claims were transferred to DVA control in locked files within the DVA office. This greatly reduced the time spent locating folders in the main file room.
2. With assistance from VA Central Office, the duplicate VCAA letter issue was resolved by having DVA staff prepare a VBA letter that was then reviewed and approved by Predetermination staff. The approved letter was then signed and printed and sent to the veteran. This relieved VBA of having to prepare the letter and also provided a quality check on DVA work prior to release. The documents move internally as electronic documents, reducing the need for printing and filing duplicate copies.

3. The revised VCAA letter also directed the veteran to return all information requested to DVA rather than VBA. With appropriate protocols to maintain evidence integrity, this eliminates these documents from the VBA mailroom, reducing VBA sorting and filing burdens while improving the DVA processing time.

#### Subsequent Results:

1. The cycle time for pilot cases continued well below the station average for all end products tracked.
2. The quality of all DVA submissions, including those not involved in the pilot, went up appreciably due to the impact of DVA Development staff enforcing stricter quality guidelines on field staff. DVA has developed a quality control metric to validate the observation.
3. An unanticipated result was the appeal rate for pilot cases is significantly below the VBA average. Of 616 cases decided in the initial test period, only nineteen appeals were actually filed.
4. VBA staff became more comfortable with DVA staff doing development as trust and mutual respect grew.

#### Current Status:

Changes in VBA personnel, priorities, and procedures within the VARO over the past two years have altered much of the original initiative. The VCAA letters are now issued by VARO staff without input from DVA staff. C-folders are no longer under DVA control and any developed evidence or correspondence now goes through the VBA mailroom rather than directly to DVA. DVA is still providing case management on development but it is somewhat more difficult. DVA stopped tracking timeliness data on claims in early 2006 when it became apparent there was no longer any significant way to influence the processing time.

The appeal rate for DVA cases remains low, and the quality of claims submitted remains high. DVA still tracks both appellate rates and quality metrics on submitted claims. DVA has retained all data gathered over the life of the project for reference and can make it available on request.

## OBSERVATIONS ON TRIP INITIATIVE:

We at New York State DVA learned a great deal from this project and are grateful for the opportunity to have participated in it. From a personal standpoint, these are some of the positive things I have observed:

1. Properly trained and supported state and local government employees can effectively develop complete claim packages for veterans that meet VBA quality and VCAA standards.
2. Changes in VBA business practices can improve timeliness when integrated with organizations developing claims.
3. Case management of claims results in more timely filings, better outcomes for the veteran, and fewer appeals of decisions.
4. The need for state and VBA personnel to work closely on this initiative resulted in both agencies having a better understanding of each other.

These are some of the challenges presented by this initiative:

1. Doing this was hard – it required a concerted effort by both agencies' management to sustain it. None of the things in this initiative are included in the performance measures for a Regional Office Director. Pressure to process claims makes any change to existing processes at the local RO level a potential liability. Doing this was a risk for both the RO Director and the State Director.
2. The changes made in processing claims had no advantage for VBA employees – there were no "points" for participating.
3. Metrics for determining success in the initiative were not included in the normal VBA performance measures and remained the sole responsibility of DVA.
4. There is a tremendous duplication of effort in the current claim processing system, but eliminating it will require changes in VCAA requirements and improved communication between VBA and outside agencies developing claims.

## CONCLUSION:

If we collectively can find a way to concentrate the efforts of VBA's 8500 claims processing staff on determining and rating veteran claims and the efforts of state and local government's 4000 veteran services staff on outreach and development of claims, veterans will be better served at the lowest possible cost to the nation.